

The Honorable Chief Judge David G. Estudillo

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

PAUL D. ETIENNE, JOSEPH J. TYSON,
THOMAS A. DALY, FRANK R.
SCHUSTER, EUSEBIO L. ELIZONDO,
GARY F. LAZZERONI, GARY M.
ZENDER, ROBERT PEARSON,
LUTAKOME NSUBUGA, JESÚS
MARISCAL, MICHAEL KELLY,

Plaintiffs,

v.

ROBERT W. FERGUSON, in his official
capacity as Governor of Washington,
NICHOLAS W. BROWN, in his official
capacity as Attorney General of
Washington, LEESA MANION, in her
official capacity as King County Prosecuting
Attorney, LARRY HASKELL, in his official
capacity as Spokane County Prosecuting
Attorney, JOSEPH BRUSIC, in his official
capacity as Yakima County Prosecuting
Attorney, RANDY FLYCKT, in his official
capacity as Adams County Prosecuting
Attorney, CURT LIEDKIE, in his official
capacity as Asotin County Prosecuting
Attorney, ERIC EISINGER, in his official
capacity as Benton County Prosecuting
Attorney, ROBERT SEALBY, in his official
capacity as Chelan County Prosecuting
Attorney, MARK NICHOLS, in his official

No. 3:25-cv-05461-DGE

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 capacity as Clallam County Prosecuting
 2 Attorney, TONY GOLIK, in his official
 3 Capacity as Clark County Prosecuting
 4 Attorney, DALE SLACK, in his official
 5 capacity as Columbia County Prosecuting
 6 Attorney, RYAN JURVAKAINEN, in his
 7 official capacity as Cowlitz County
 8 Prosecuting Attorney, GORDON EDGAR, in
 9 his official capacity as Douglas County
 10 Prosecuting Attorney, MICHAEL GOLDEN,
 11 in his official capacity as Ferry County
 12 Prosecuting Attorney, SHAWN SANT, in his
 13 official capacity as Franklin County
 14 Prosecuting Attorney, MATHEW
 15 NEWBERG, in his official capacity as
 16 Garfield County Prosecuting Attorney,
 17 KEVIN McCRAE, in his official capacity as
 18 Grant County Prosecuting Attorney, NORMA
 19 TILLOTSON, in her official capacity as Grays
 20 Harbor County Prosecuting Attorney,
 21 GREGORY BANKS, in his official capacity
 22 as Island County Prosecuting Attorney,
 23 JAMES KENNEDY, in his official capacity as
 24 Jefferson County Prosecuting Attorney,
 25 CHAD ENRIGHT, in his official capacity as
 26 Kitsap County Prosecuting Attorney,
 27 GREGORY ZEMPEL, in his official capacity
 as Kittitas County Prosecuting Attorney,
 DAVID QUESNEL, in his official capacity as
 Klickitat County Prosecuting Attorney,
 JONATHAN MEYER, in his official capacity
 as Lewis County Prosecuting Attorney, TY
 ALBERTSON, in his official capacity as
 Lincoln County Prosecuting Attorney,
 MICHAEL DORCY, in his official capacity as
 Mason County Prosecuting Attorney,
 ALBERT LIN, in his official capacity as
 Okanogan County Prosecuting Attorney,
 MICHAEL ROTHMAN, in his official
 capacity as Pacific County Prosecuting
 Attorney, DOLLY HUNT, in her official
 Capacity as Pend Orielle County Prosecuting
 Attorney, MARY ROBNETT, in her official
 capacity as Pierce County Prosecuting
 Attorney, AMY VIRA, in her official capacity
 as San Juan County Prosecuting Attorney,
 RICH WEYRICH, in his official Capacity as

[PROPOSED] ORDER GRANTING PLAINTIFFS'

MOT. FOR PRELIMINARY INJUNCTION
 (No. 3:25-cv-05461-DGE)

- 2 -

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1 Skagit County Prosecuting Attorney, ADAM
2 KICK, in his official capacity as Skamania
3 County Prosecuting Attorney, JASON
4 CUMMINGS, in his official capacity as
5 Snohomish County Prosecuting Attorney,
6 ERIKA GEORGE, in her official capacity as
7 Stevens County Prosecuting Attorney, JON
8 TUNHEIM, in his official capacity as
9 Thurston County Prosecuting Attorney, DAN
10 BIGELOW, in his official capacity as
11 Wahkiakum County Prosecuting Attorney,
12 GABE ACOSTA, in his official capacity as
13 Walla Walla County Prosecuting Attorney,
14 ERIC RICHEY, in his official capacity as
15 Whatcom County Prosecuting Attorney, and
16 DENIS TRACY, in his official capacity as
17 Whitman County Prosecuting Attorney,

18 Defendants.

19 This matter, having come before the Court on Plaintiffs' Motion for a Preliminary
20 Injunction, and it appearing, upon argument of counsel and for good cause shown, that the Motion
21 should be granted, IT IS HEREBY ORDERED that Defendants and their agents, servants,
22 employees, and attorneys, and other persons who are in active concert or participation with
23 Defendants, their agents, servants, employees, and attorneys, are preliminarily enjoined, pursuant
24 to Federal Rule of Civil Procedure 65(a), from enforcing or attempting to enforce RCW
25 § 26.44.030, as amended by Senate Bill 5375, as applied to information learned by Roman Catholic
26 priests solely through the Sacrament of Confession.

27 Dated this _____ day of _____, 2025

HON. CHIEF JUDGE DAVID G. ESTUDILLO
UNITED STATES DISTRICT JUDGE

1 *Presented by:*

2 /s/ William J. Crowley

3 William J. Crowley (WSBA # 18499)

4 *Counsel for Plaintiffs Paul D. Etienne, Joseph J. Tyson, Thomas A. Daly, Frank R. Schuster,*
5 *Eusebio L. Elizondo, Gary F. Lazzeroni, Gary M. Zender, Robert Pearson, Lutakome Nsubuga,*
6 *Jesús Mariscal, Michael Kelly*